

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

P.S.Rev.Dept -Allegation of Corruption against Sri P.V.A Sastry, formerly MRO Taluru Mandal now retired- trapped on 07.11.1997-Convicted by the Spl. Judge for SPE & ACB cases, Nellore in CC No.11/99 - withholding of entire pension and gratuity - G.I. Appeal No.35/03 filed - Criminal Appeal allowed - Further action dropped - Orders- Issued.

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REVENUE (M G I I) DEPARTMENT

G.O.R. No. 756

Dated:

21.05.2010

Read the following;

1. From the DG ACB Rc. No.150/RCT-NPK/97,
Dt. 27.11.1998
2. From the DG ACB Rc. No.150/RCT-NPK/97,
Dt. 23.02.1999.
3. Judgment 23-12-2002 of SPE & ACB Court in CC No.11/99
4. Govt. Memo No.3031/M G I I (1)/2001-2, Dt. 20.05.2003
5. P.V.A Sastry, MRO (ret d) Expl n dt. 26.07.2008.
6. G.I. Appeal No.35 of 2003 filed by Sri P.V.Sastry
MRO (Ret d) in the High Court of AP.
7. G.O.Ms. No.1344 Rev (M G I I) Dept, dt. 23.12.2003
8. Judgment dt. 19.11.2009 of Hon'ble High Court of AP G.I. Appeal
No.35 of 2003
9. P.V.A Sastry, MRO (ret d) Rep., dt. 24.2.2010

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ORDER

It has been brought to the notice of the Govt., that Sri PVA Sastry, while working as Mandal Revenue Officer, Taluru Mandal in Prakasam District was trapped by the Anti Corruption Bureau authorities on 7-11-1997 when he demanded and accepted an amount of Rs.600/- from the complainant for doing official favour. The Anti Corruption Bureau, filed a charge Sheet in the Court of Special Judge for SPE & ACB Cases, Nellore against the Accused officer in CC No.11/99.

2. In the reference 3rd read above, the Special Judge for SPE & ACB Cases, Nellore, in his Judgment 3rd cited in CC No.11 of 1999, has found that Sri PVA Sastry, Mandal Revenue Officer (Ret d) is guilty and Convicted HM under Section 248(2) Criminal Procedure Code in respect of the charges framed against him under Section 7 and 13(2)

read with Section 13(1)(d) of Prevention Corruption Act. The Accused officer was sentenced to undergo simple imprisonment for a period of 6 months and to pay a fine of Rs 1000/- and in default of payment of fine amount, to suffer further simple imprisonment for 15 days, under the first Count. The Accused Officer was further sentenced to undergo simple imprisonment for one year and payment of fine of Rs.2000/- and in default of payment of fine amount, to suffer further simple imprisonment for two months under the second count. Both the sentences were ordered to run concurrently.

3. Government after careful consideration of the Judgment of the Special Judge for SPE & ACB Cases, Nellore, have imposed a penalty of withholding both Gratuity and Pension in full permanently against Sri PVA Sastri, Mandal Revenue Officer (Retd) under Rule 9 of APPR Rules, 1980 for the charges held proved against him vide reference 7th read above. Aggrieved by the said orders Sri P.V.A Sastri, MRO(Retd) has filed G.L. Appeal No.35 of 2003 in the High Court of AP against the orders of ACB Court.

4. The Hon'ble High Court of AP, in the judgment dt.19.11.2009, while allowing the criminal appeal has set aside the conviction and sentence passed by the Spl. Judge for SPE & ACB Cases, Nellore and acquitted Sri PVA Sastri, MRO(Retd) from the charge. The DG ACB while forwarding the Judgment copy of AP.HC has opined that it is not a fit case to file SLP in the Supreme Court of India against the acquittal judgment of the Hon'ble High Court.

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5. Sri P.V.A Sastri, MRO(Retd) in his representation 9th read above has requested to pay pension and gratuity and all such arrears due to him from the date of his retirement in view of the his acquittal orders passed by the High Court of AP.

6. Government after careful examination of the representation of the individual and orders of the Hon'ble High Court AP hereby drop further action against the individual in this case.

7. The Spl.CS & the Chief Commissioner of Land Administration, Hyderabad shall take further action accordingly.

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P.V.A.Sastry, M.R.O (Retd), Prakasam District
(through the CCLA, Hyderabad)
The Spl .CS & the Chief Commissioner of Land Administration, Hyderabad

Copy to:

- 1.The Collector, Prakasam District
- 2.The Director General, Anti-Corruption Bureau, Hyderabad.
- 3.The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
- 3.The Accountant General Andhra Pradesh, Hyderabad.

// Forwarded by order //

SECTION OFFICER